

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI**

**IN RE: TASHA FITTS  
DEBTOR**

**CASE NO: 18-12923**

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**OBJECTION TO NOTICES OF POSTPETITION MORTGAGE FEES,  
EXPENSES, AND CHARGES  
(DOC #15 & 23)**

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**COMES NOW**, the debtor named above and files this her Objection to the Notices of Postpetition Mortgage Fees, Expenses, and Charges filed by Plaza Home Mortgage Inc. (hereinafter "Plaza"), document number 15 and 23, pursuant to Federal Rule of Bankruptcy Procedure 3002.1, showing the Court as follows:

1. Debtor's confirmed plan provides for ongoing mortgage payment and mortgage arrears to be paid through the plan.
2. Other than the two Notices of Postpetition Mortgage Fees, Expenses, and Charges, the only thing filed by Plaza was a standard proof of claim dated September 26, 2018.
3. Plaza filed a Notice of Postpetition Mortgage Fees, Expenses, and Charges on October 25, 2018, stating they assessed debtor's mortgage account for a total of \$350. Of that amount \$150 was for a plan review performed on August 27, 2018 and \$200 for POC performed on September 26, 2018.
4. Plaza filed a second Notice of Postpetition Mortgage Fees, Expenses, and Charges on March 29, 2019, stating they again assessed debtor's mortgage account for a total of \$300.

5. Freedom is attempting to collect 20% of the no-look fee amount for what should be no more than one hour of work. Of that amount the full \$300 was a Plan Review Fee performed on November 12, 2018.

6. Debtor disputes that all of these services were actually performed, the fees were actually incurred by Plaza or that the fees were reasonable and requests that the Court enter an order disallowing the fees, expenses and/or charges.

**WHEREFORE**, the debtor prays of the Court as follows:

- A. That the Court enter an order striking the Notice and disallowing the alleged fees, expenses and/or charges; and
- B. That the Court award debtor all relief available under Federal Rule of Bankruptcy Procedure 3002.1(i) including attorney fees for having to handle this frivolous attempt to assess debtor's mortgage account; and
- C. That the debtor have such other and further relief as the Court may deem just and proper under the circumstances.

This the 24<sup>th</sup> day of April 2019.

Respectfully submitted,

/s/William L. Fava  
WILLIAM L. FAVA (MSB# 101348)  
Attorney for Debtor

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Southaven, MS 38671  
(662) 536-1116

CERTIFICATE OF SERVICE

I, William L. Fava, hereby certifies to the Court that to the extent any party was not served by the CM/ECF System, I have this day served a copy of the foregoing Objection on all parties in interest by placing the same in an envelope, first-class mail, postage prepaid, and addressed to each person at the place where he or she regularly conducts his business or profession as follows:

Locke D. Barkley  
Via ECF at [sbeasley@barkley13.com](mailto:sbeasley@barkley13.com)

U.S. Trustee  
Via ECF at [USTPRegion05.AB.ECF@usdoj.gov](mailto:USTPRegion05.AB.ECF@usdoj.gov)

Laura Henderson - Courtney on behalf of Creditor Plaza Home Mortgage, Inc.  
[laura@kmcphail.law](mailto:laura@kmcphail.law), [lhend@aol.com](mailto:lhend@aol.com)

Bradley P. Jones on behalf of Creditor Plaza Home Mortgage, Inc.  
[msbankruptcy@logs.com](mailto:msbankruptcy@logs.com)

Plaza Home Mortgage Inc  
14841 Dallas Parkway, Suite 425  
Dallas, TX 75254

DATED: April 24, 2019

/s/William L. Fava  
WILLIAM L. FAVA  
Attorney at Law

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